

July 22, 2019

Hon. Katherine Polk Failla  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

**Re: Settlement of potential claims or potential motions that Defendants have arising out of the Court's findings in *Marcelino v. 374 Food Inc. et al.*, 16 Civ. 06287**

Judge Failla:

Defendants 374 Food Inc., Hayim Tsadok, and Tiran Tsadok, by their undersigned counsel, and Michael Faillace & Associates, P.C., and Michael Faillace (collectively, referred to as "Faillace"), by their attorney, Michael S. Ross, Esq., have reached a settlement of the potential claims and/or potential motions arising out of the Court's findings of perjury in *Castillo Marcelino v. 374 Food Inc. et al.*, 16 Civ. 06287. Pursuant to the settlement, Defendants (and your undersigned counsel) agree not to pursue any claims or file any motions against Faillace, the Faillace firm's current and/or former associates, and/or Plaintiff Castillo Marcelino except for a motion to set aside judgment pursuant to Rule 60 of the Federal Rules of Civil Procedure or pursuant to the Court's inherent power.

Sincerely,  
/s/ Brian Lehman  
Brian Lehman  
Lehman LG LLC  
Counsel for Defendants 374 Food Inc.,  
Hayim Tsadok, and Tiran Tsadok

cc: all counsel of record  
by CM/ECF